#### FUNDAMENTALS OF TRIAL ADVOCACY COURSE

September 30 – October 4, 2019 Phoenix, Arizona



#### **CASE ANALYSIS**

Presented by:

#### Dana E. Owens

Deputy Yavapai County Attorney Yavapai County Attorney's Office

Distributed by:

ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL 1951 West Camelback Road, Suite 202 Phoenix, Arizona 85015

> ELIZABETH BURTON ORTIZ EXECUTIVE DIRECTOR

# TRIAL APPROACH

**Conquering Your Case Before Trial Begins** 

Dana Owens

Deputy Yavapai County Attorney

## Mindset

• What is your goal?

- Get the Bad Guy / Girl
- Find the Truth
- Do Justice

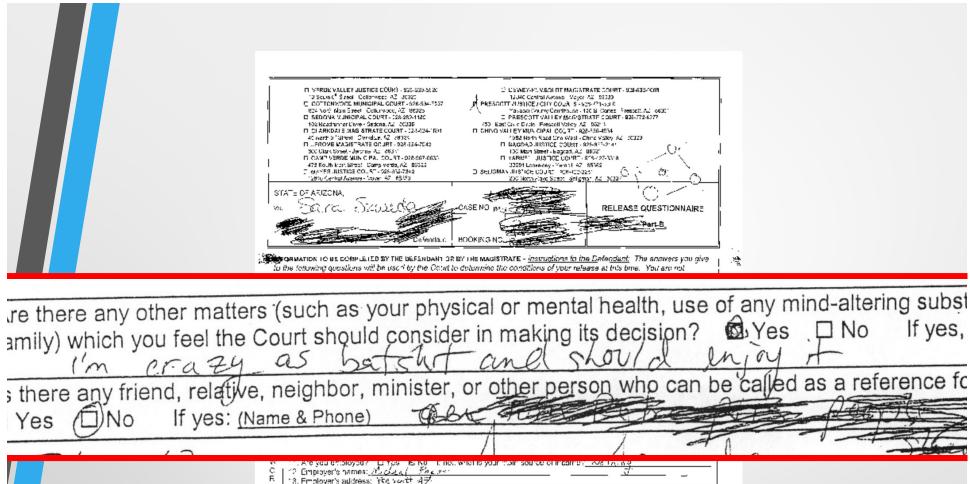
## Mindset

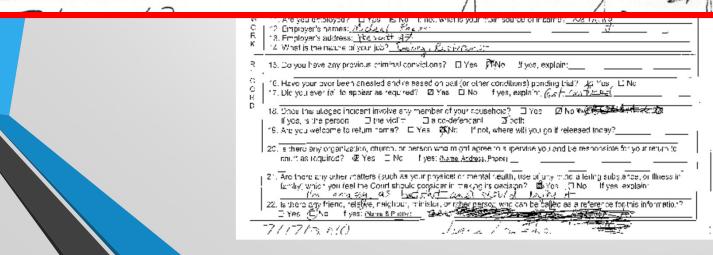
- What are potential barriers?
  - Workload
  - Training Issues
  - Bias
  - Others?

# Reviewing the Case

- Read / Review EVERYTHING:
- Reports
- Audio / Video Recordings
- Photographs
- Witness Statements
- Probable Cause / Booking paperwork

To the following questions will be used by the Count to determine the conditions of your refease at this time. You are rist required to enswer any question if you feel the answer might be harmful to you. Your prevent will be checked against it information supplied by the college, and with the references you give on the firm. Any disprepancies may result in higher harsfor conditions of reness. Any information you give may be used against you in this or any other matter.  1. Full Name				
### TURK CHISTORY OF THE STATE	09	☼ DEWEY-FUNBOLIT MAGISTRATE COURT / 9/24/632/7019	VERDE VALLEY JUSTICE COURT - 925-939-5120	I
Test Not during free Cick review, 22 eroses  Disposed visional as court is absoluted. Disposed visional visio		12040 Control Awtonio - Mayor AZ - 98629	O Scum C <sup>®</sup> Sizeot   Colletweet   AZ   30020	
TO SECRET PROBLEMS AND SECRET AND A COST OF THE DEFARDANT OF PROBLEMS AND SECRET PROBL		PRESCRITT AVENICE / CITY COURTS - 625-771-5210		1
TO BERCH CERTIFICATION ASSESSMENT OF THE DEFANDANT OF THE MADESTRATE - INSTITUTION OF THE ASSESSMENT O	COE.	** Apparationary County County (County Freeton), AL COSE (County Freet	24 Noti Maii Siteel - Collanyadd, AZ - 86025 BEDDANA MINISTRAL GOURT, ISSA 680 4446	1
To care of the property of the Court of the Control	1.	750 Baston o Fisher Executivation 47, 1970 5		ıl
### And State   Devotation of 2012   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925   1925		DI CHINO VALLEY MUNICIPAL COURT - 928-986-4934	CLARKDALE MAG STRATE COURT - 02/40/41/694	1
TO CONCERNO BY THE PROPERTY OF THE DEFENDANT OR BY THE MADESTRATE - Instructions to the Defendant of the Control of the Contro		1988 North Razd Crin West - Chine Valley AZ 10023	wort 9 'Girest Carkdue, 42, 58089	ľ
TO CONCERNO BY THE PROPERTY OF THE DEFENDANT OR BY THE MADESTRATE - Instructions to the Defendant of the Control of the Contro	6. 1	FI BAGDAD JUSTICE COURT - 925-917-2141	FROME MAGISTRATE COURT - 908-884-7040	1
### AT BOUNDAY SHOWS CONTROLLED BY THE DEFANDANT OR BY THE MADISTRATE - instructions to the Carlescond ATRICA SHOWS CONTROLLED BY THE DEFANDANT OR BY THE MADISTRATE - instructions to the Carlescond ATRICA SHOWS CONTROLLED BY THE DEFANDANT OR BY THE MADISTRATE - instructions to the Carlescond ATRICA SHOWS CONTROLLED BY THE DEFANDANT OR BY THE MADISTRATE - instructions to the Carlescond ATRICA SHOWS CONTROLLED BY THE DEFANDANT OR BY THE MADISTRATE - instructions to the Carlescond ATRICA SHOWS CONTROLLED BY THE DEFANDANT OR BY THE MADISTRATE - instructions to the Carlescond ATRICA SHOWS CONTROLLED BY THE DEFANDANT OR BY THE MADISTRATE - instructions to the Carlescond ATRICA SHOWS CONTROLLED BY THE DEFANDANT OR BY THE CARLESCOND ATRICA SHOWS CONTROLLED BY THE CARLESCOND ATRICA SH	,O'	100 Mean Street - Baggard, AZ 188021	C Clark Syset - Jeroma AL (883 V	
STATE OF ARIZONA.  STATE OF ARIZ		THYARMET JUSTICE COPRES 919-927-9318		1
STATE OF ARIZONA,  WE DE ARIZO	See.	22591 Language - Yera 1 47 85 V42		1
STATE DE ARIZONA,  WE DO COL DICOLOGICA CASE NO WARRESTRATE - instructions for the Defendant. The answers you be isotrowing questions with the use of by the Count to determine the conditions of your releases at this time. You are not updated to sever any question if you feel the answer might be harmful to you. Your answer at this time. You are not updated to supplied by the police, are with the references you give on the form. Any disprepancies may result in higher harders conditions of roness. Any information you give may be used against the formation supplied by the police, are with the references you give on the form. Any disprepancies may result in higher harders conditions of roness. Any information you give may be used against the first and or only other matter.  5. I. Full hame,	W. A		Mrs. Carded Amanus, 1-care, 47, 98191	I
Part B.  Sendan BOOKING RO  Part B.  Sendan BOOKING RO  Description of the Color of the Defendant The answers you to the featuring questions will be used by the Count to deturning the conditions of your release at this time. You are not required to enswer any question if you fell the answer might be harmful to you. Your answers with be checked against information supplied by the police, and with the references you give a the form. Any discrepancies may result in higher hursings conditions of reness. Any information you give may be used against you in this or any other matter.  1. Full hearts.  1. Full hearts.  2. Set Tiv Dill Radu. Industry Agol. 2.5. Place of Birth. City William any other matter.  3. Present Chitering United Set Tibes. If not a U.S. citizen, how any have you used in this country?  4. Present it citized not agarests is set on the form. And used they are also have you lived in the country?  5. Length of the all present residences? I distry. Where else have you lived in the bast year and for tow.  8. Current repling address is test on the Advances of the set of the present including your districtly are why will your appears.  9. Any your harded Lives filted Advances. Substituting with your appears.  9. How many other porsents (including your districtly are why will your product.)  9. How many other porsents (including your districtly are why will you appears.)  9. How many other porsents (including your districtly are why will your product.)  9. How many other porsents (including your districtly are like the present and your relationship to the product of	————	ESS MALTINIAL STEEL GING THE SCEN	Die 16 18/146/07 1010 - 1010	
Part B.  CASE NO programme To as a color Letto By THE DEFANDAN OR BY THE MADISTRATE - instructions for the Defandant. The answers you to the featuring questions will be used by the Count to deturning the conditions of your release at this time. You are not required to provide any question if you fell the answer might be harmful to you. Your answers will be checked against information supplied by the police, and with the references you give an the form. Any discrepancies may result in higher harmful or good applied by the police, are with the references you give an the form. Any discrepancies may result in higher harmful or good of release. Any information you give may be used against you in this or any other matter.  9. 1. Full hearne. The control of the conditions of the form of the conditions of release. Any information you give may be used against you in this critical in higher harmful conditions. The control of the conditions of release. The conditions of the condit			ARIZONA.	STATE
To describe the Defendent BOOKING NO The Country of	/	Carried Control of the Control of th	·	,
To describe the Defendent BOOKING NO The Country of	ESTIONNAIRE	-CASE NO MAN - A RELEASE QUESTIONI	9 (C )YOLUKU-ZE	30%
Canalition to be completed by the Department of the Madistrate - Instructions to the Defectant. The snowers you to the featuring questions will be used by the Court to determine the conditions of your release at this time. You are not received to displant to the conditions of your releases at this time. You are not received to pushelish by the politics, and with the references you give at the farm. Any disprepancies may result in higher harshor conditions of recess. Any information you give may be used against two in this or any other matter.  6. 1. Full heams.				
The property of the property	t-B.	Part B		
Property address:   State	.—			200
The following questions with the used by the Count of obtamine the conditions of your release at this time. You are rist required to enswer any question if you feel the answer might be hamful to you. Your answers with be checked against the following provided by the college, and with the references you give on the form. Any disprepancies may result in higher hausing conditions of reness. Any information you give may be used against you in this or any other matter.    1		HOOKING NOUR BEEN AND THE PROPERTY OF THE PROP	Defenda.r.	<u>چ</u> ے ا
To the following questions will be used by the Count to obtainmine the conditions of your release at this time. You are rist required to enswer any question if you feel the answer might be harmful to you. Your previous the following will be checked against the following on supplied by the college, and with the references you give on the form. Any disprepancies may result in higher harsher conditions of reness. Any information you give may be used against you in this or any other matter.  1. Full Name		(42,44,47)		
The featuring questions will be used by the Count or determine the conditions of your release at this time. You are rist required to enswer any question if you feel the answer might be harmful to you. Your pursions will be checked against it information supplied by the college, and with the references you give on the form. Any disprepancies may result in higher harmful conditions of reness. Any information you give may be used against you in this or any other matter.  1. Full harms. The college of the first	בעלים נודע פינעטים	DBV ( de MACISYDAYE - incremions in the Cafeoriant: The engineer)	WITH DE PARTE BUTTO BY THE BUTTONIANT O	The cour
regardor to charger any question if you feet the answer might be harmful to you. Your answers with be checked against at Information supplied by the police, and with the references you give on the form. Any discrepancies may result in higher harmful consolitions of recess. Any information you give may be used against you in this or any other matter.  1. Full harms.				
information supplied by the police, and with the references you give on the from. Any discrepancies may result in higher harsher conditions of roteese. Any information you give may be used against you in this or any other matter.  1. Full Name				
Absolute conditions of recesse. Any information you give resy be used against you in this or any other matter.  1. Full Name.				
Absolute conditions of recesse. Any information you give resy be used against you in this or any other matter.  1. Full Name.	t in higher ball or	rances you give on the form. Any disprepancies may result in highe	supplied by the police, and with the refe	ipforma
1. Full Name				
2 Sax T.N. D.1. Radu. Internative April 20 Piece of Birth: City City 10 Piece of City 10 Pi			•	
2 Sax T.N. D.1. Radu. Internative April 20 Piece of Birth: City City 10 Piece of City 10 Pi		D. L w.:	INSMA. Since Size 1300 A	ıs '1
7. Are you charted: Electricated the appearant of the atom and the power of the power and power	Tour. 70-	at 2.5 Chan of District City 49-40-10000	. T. N. C. L. Linns 7 16 5 16 16 16 16 16 16 16 16 16 16 16 16 16	F 5
7. Are you charted: Electricated the appearant of the atom and the power of the power and power		State State Control Co	с № Ш г. Касо. <u>прим</u> . «Ар	
Where else have you lived in the past year and for tow	y7	If not a U.S. citizen, how long have you been in this country?	sont Officerry: <u>CwiTe서 고프라이어s</u>	
Where else have you lived in the past year and for how		Zip Codej	sent residence ageress <u>; istreet City, S</u> tate.	
Where else have you lived in the bast year and for bow 8. Current natiling addressing teachers. Box Oth State Zo Zodo:  Phone: ( )  7. And you manded? If Yes IRNo Are your ving with your spaces? If Yes IRNo Between the persons (including your children) and iving with you?  9. How many other persons (including your children) and iving with you?  10. Do you have recorder contact with any other rotatives? If Yes IRNo If yes, if it the names and your relatives? If Yes IRNo If yes, if it the names and your relatives? If Yes IRNo If yes, if it the names and your relatives? If Yes IRNo If yes, explain:  12. Do you have any provious criminal convictions? If Yes IRNo If yes, explain:  13. Do you have any provious criminal convictions? If Yes IRNo If yes, explain:  14. Does this steged indicent involve sty member of your counselor? If Yes IRNo IR you go if released today?  15. Does this steged indicent involve sty member of your counselor? If yes it he person I the violit I a co-defendant If you if you go if released today?  16. Are you welcome to return name? If Yes IRNo If you, where will you go if released today?  17. Stern any organization, oburon, or person who might agree to a spervice you and the responsible for your return names and equinor? If Yes IRNo If yes, hopes				r
8 Current rigiding address (greener P.D. Ros. Ct) State Zo Code:  Phase (1)  7. Are you marked? Li Yes li Mine. Are you'ving with your species? Li Yes li Yes. Should be not persons (including your children) are living with you?  8. How many other persons (including your children) are living with you?  10. Co you have recular contribute to their support? Should be not persons and your relators.  11. Are you entaloyed? Li Yes li No. If not, what is your main source of income? Li Yes, I's little names and your relators.  12. Employer's names: Archael False.  13. Employer's names: Archael False.  14. What is the name of your jub? Laurenay. Exclinition of your public with a name of your jub? Laurenay. Exclinition of your public life.  15. Do you have any provious criminal convictions? Li Yes life.  16. Have your over been anested and released on ball (or other conditions) ponding that? If Yes, Li No.  17. Did you ever fall to appear as required? Li Yes life. No. If yes, explain:  18. Shoe this alleged indicent involve sity member of your cousehold? Life.  19. Are you welcome to return name? Life. Mine life. If not, where with you go if released today?  20. Is there any organization, church, or person who might agree to a upervise you and be responsible for your return name as required? Life. In Yes life.  19. Shoe this alleged indicent involve any member of your cousehold? I Yes Life.  20. If you welcome to return name? Life.  21. Yes life.  22. Shero any organization, church, or person who might agree to a upervise you and be responsible for your return name as required? Yes life.	d for some upp of	Palares plea house on a linear or the one loops and for our		
7. Are you married? If Yes   The   Are you're pouse?   Proceed   Proceed   8. How many other persons (including your children) are living with you?   Proceed   9. How many other persons (including your children) are living with you?   Proceed   10. Re you have regular contact with any other relatives?   If Yes   The	G C .SW JUH, IT		Fill alt le subteaeur Barrenner: 1 33	L   0.
7. Are you married? If Yes   The   Are you're pouse?   Proceed   Proceed   8. How many other persons (including your children) are living with you?   Proceed   9. How many other persons (including your children) are living with you?   Proceed   10. Re you have regular contact with any other relatives?   If Yes   The		•		
7. Are you married? If Yes I No. Are you'ving with your species? If Yes I No. S. How many other persons (including your children) and thing with you? I would be names and your relations? If Yes I No. If yes, I stitle names and your relations? If Yes I Yes I Yes I I he names and your relations? If Yes I Yes I Yes I Yes I Yes, I stitle names and your relations? If Yes I Y		: Sleb::Zp.Codo(	rent nipilling addressi (S <u>ase; or P.D. Box, C'</u>	5
7. Are you married? If Yes I No. Are you'ving with your species? If Yes I No. S. How many other persons (including your children) and thing with you? I would be names and your relations? If Yes I No. If yes, I stitle names and your relations? If Yes I Yes I Yes I I he names and your relations? If Yes I Yes I Yes I Yes I Yes, I stitle names and your relations? If Yes I Y		Phane: ( )	D No.C	
8. How many other persons (including your children) are lying with you? **The person of the population of the property states and your relatives? **Li Yes **DNo** If yes, its the names and your relator in the property states and your property states and relative or your just a property states and related and released on ball (or other conditions) ponding this? **Line Table 10 your even fail to appear as required? **DI Yes **DNo** If yes, explain:  16. Book this alloged incident involve any member of your cousehold? **DNo** If yes, is the person **Different and **Droth** If you welcome to return name? **DNo** If you where will you go if released today? **DNo** The person **Doth** If you welcome to return name? **DNo** If you, where will you go if released today? **DNo** The person of the your property and the responsible for your return names and your property and the responsible for your return names and your organization, church, or person who might agree to a spervice you and the responsible for your return names and your organization, church, or person who might agree to a spervice you and the responsible for your return names and your sequence. **DNo** If you are you welcome to return names and your return names and your sequence. **DNo** If you welcome to return names and your return names and your sequence. **DNo** If you welcome to return names and your return names and your relative and your sequence. **DNo** If you welcome to return names and your relative		<del></del>		
8. How many other persons (including your children) are lying with you? **The person of the population of the property states and your relatives? **Li Yes **DNo** If yes, its the names and your relator in the property states and your property states and relative or your just a property states and related and released on ball (or other conditions) ponding this? **Line Table 10 your even fail to appear as required? **DI Yes **DNo** If yes, explain:  16. Book this alloged incident involve any member of your cousehold? **DNo** If yes, is the person **Different and **Droth** If you welcome to return name? **DNo** If you where will you go if released today? **DNo** The person **Doth** If you welcome to return name? **DNo** If you, where will you go if released today? **DNo** The person of the your property and the responsible for your return names and your property and the responsible for your return names and your organization, church, or person who might agree to a spervice you and the responsible for your return names and your organization, church, or person who might agree to a spervice you and the responsible for your return names and your sequence. **DNo** If you are you welcome to return names and your return names and your sequence. **DNo** If you welcome to return names and your return names and your sequence. **DNo** If you welcome to return names and your return names and your relative and your sequence. **DNo** If you welcome to return names and your relative		ict vind with value engage CE Vinc. 12/No.	one married? [1] Yes [5]No. Are we	9 17
9. How much do you contribute to their support? \$ \( \) 10. Co you have provide gontact with any other relatives? If Yes \( \) No \( \) if yes, [at the names and your relator \( \)  W. Are you ontologed? \( \) Yes \( \) No \( \) finet, what is your main source of income? \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \) \( \				
10. Do you have recorder operator with any other rotatives? If Yes I No I if yes, [at the names and your relator of the property is names; Alexander A. P. Employer's names; Alexander A. P. 13. Employer's names; Alexander A. P. 14. What is the name of your job? Leasander, Exploration.  15. Do you have any provious criminal convictions? If Yes I No I if yes, explain:  16. Have your over been snested and released on ball (or other conditions) ponding that? Yes Yes, I No 17. Did you ever fail to appear as required? If Yes I No I flyes, explain:  18. Does this alloged incident involve sity member of your cousehold? If Yes, I No I yes, is the person I the violit I a co-defendant I both.  19. Are you welcome to return name? I Yes I No. I floot, where will you go if released thosy?  20. Is there any organization, church, or person who might agree to a spervice you and be responsible for your return name as required? I Yes I No. I floot, where will you go if released thosy?  20. Is there any organization, church, or person who might agree to a spervice you and be responsible for your return name as required? I Yes I No. I floot, where will you go if released thosy?				
13. Do you have any provious criminal convictions? 日子家 日内の 「	<del>-</del> -	U <u>817</u>	vir aci reci yeti co ir idole le li ali saji per	
************************************	in te at onsi ib.	rolagives? Lines (zno inyes, isi the names and your relate	you have reciliar contact with any other	1 16.
Compleyer's names: からなく がんかい		<b>42</b> 84		
Compleyer's names: からなく がんかい			The state of the s	
Compleyer's names: からなく がんかい		connect to the results in our control of the manual A. L. L. C. C.	Commencioned 2 P.V. 17 No. 15 no.	14
18. Employer's address: 作を seaft 利子   12. What is the nature of your jub?   「Leutana」 だらいるののです。		s. where your control of the carror is not the second	you of slow as the first	5 1
12 What is the nature of your jub?   Chebona   Recipization				
18. Do you have any provious criminal convictions? 日 Yes 「				10 1
16. Do you have any provinus criminal convictions? □ Yes   所No   If yes, explain:  17. Did you ever fail to appear as required? □ Yes □ No   flyes, explain: □ Yes   flyes, explain: □ Yes □ Ye		Residence:		
16. Have your over been shested and released on ball (or other conditions) pending trial? 及 Yes Li No 17. Did you ever fail to appear as required? Di Yes Li No 19. Specific appear as required? Di Yes Li No 19. Specific and The February Li Yes Li No 19. Specific and The February Li Yes Li			. /	
16. Have your over been shested and released on ball (or other conditions) pending trial? 及 Yes Li No 17. Did you ever fail to appear as required? Di Yes Li No 19. Specific appear as required? Di Yes Li No 19. Specific and The February Li Yes Li No 19. Specific and The February Li Yes Li		ng? DYes PTNo 'fwes evoluir'	you have any provious priminal convious	3 15
17. Dic you ever fail to appear as required?   ② Yas   □ No   flyes, explain. (点面上での刊か正式   18. Doos this alleged incident involve stylmember of your cousehold? □ Yos   ② No ***(配面		and the proper of year, explains.	Apply 2000 citis in Courses Citing 100 (20) actual	10.
17. Did you ever fail to appear as required? ② Yes □ No □ fiyes, explain: 仮表 上の □ 12. Doos this alloged incident involve stylmember of your cousehold? □ 12. Doos this alloged incident involve stylmember of your cousehold? □ 12. Doos this alloged incident involve stylmember of your cousehold? □ 12. Doos this alloged incident involve stylmember of your cousehold? □ 13. Doos this alloged incident involve stylmember of your cousehold? □ 13. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involve stylmember of your cousehold? □ 14. Doos this alloged incident involves at your stylmember of your cousehold? □ 14. Doos this alloged incident involves at your stylmember of your cousehold? □ 14. Doos this alloged incident involves at your stylmember of your cousehold? □ 14. Doos this alloged incident involves at your stylmember of your cousehold? □ 14. Doos this alloged incident involves at your stylmember of your cousehold? □ 14. Doos this alloged incident involves at your stylmember of your			1. 2	0
18. Once this alloged incident involve any member of your cousehold? ☐ Yos ② No **********************************				C .
18. Does this alloged incident involve any member of your cousehold? ☐ Yos ☐ No **********************************		I Yes ロ No - fiyes, explaint, でょ <u>た / wart/エルゼ</u>	you ever fail to applear as required?   D	G 17.
18. Shoes this alleged indicent involve sity member of your notisehold? ☐ Yes ☐ No Notice 2008 If yos, is the person ☐ the violit ☐ a co-defendant ☐ both 19. And you welcome to return nome? ☐ Yes ☐ You ☐ finot, where will you go if released today? ☐ ☐ 20. Is there any organization, church, or person who might agree to supervise you and be responsible for your return nome as required? ☑ Yes ☐ No ☐ fives: (Name Andress, Papes) ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐				14
If yos, is the person	<i>=≠-33</i>	ber of your cousehold? Tigos (Zi No www.cousehold? Tigos	s Tois alleged indigent involve stylmem	12.
19. Are you welcome to return name? □ Yes ②No: □ If not, where will you go if released today?				
20. is there any organization, church, or person who might agree to supervise you and be responsible for your return notice as required? 图 Yes □ No □ if yes: (Kame Andress, Phone)				
nni, tras requiréd?		AND I bot' whele will hon do it refersed todays.	you welcome to return name?    E Year	°\$.
nni,rt as required? ■ Yes = T. No.   flyes: ( <u>Name, Andress, Phone)                                    </u>		•n 5 2 % % % %		
nni,rt as required? ■ Yes = T. No.   flyes: ( <u>Name, Andress, Phone)                                    </u>	gur return to	who might agree to a lipervise you and the responsible for your return	iero any organization, church, or berson	20.
		5. 000 100 (2.00 M/V) 190/01		
We do to the first term to the property of the contract of the				
21. Are there any either matters (such as your physical or mental health, use of any mind a leiting substance, or Illines	e, or Illness in	nyside: or mental neulth, tipe bl <sub>a</sub> uny mind a leithg subglance, or Illite	there any other matters (such as your p	12.
[zmly] which you feel the Court should consider in theking its decision? ■You ∏ No I if yes lexplain:	lain:	sicenin trakyog its decision? 🔯 Yos 闪 No — If yes lexplain: —	liy) which you feel the Court should con:	- 1
the arrassy as best first and scored being it				
22. Is there gry friend, religible, religible, minister, or retemperson who can be balled as a reference footnis informati	s informatio 12	or, or rober person who can be balled as a reference for this informa-		22
	V V 11 1410.	1 4 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	or The five: Name R. R. and	
Titles (END 1 yes: (Name & Phone) and the second se			20 FAUR LAMS HASHER LEGIST F	
7/17/3/10 /2014 / 34 743		/	7.65 0.771	-7





# **Evaluating Your Case**

- Can you prove your case beyond a reasonable doubt with the evidence you have?
- If not, can the officer/deputy do follow up investigation?
- Can you do additional follow up?
  - Should you?

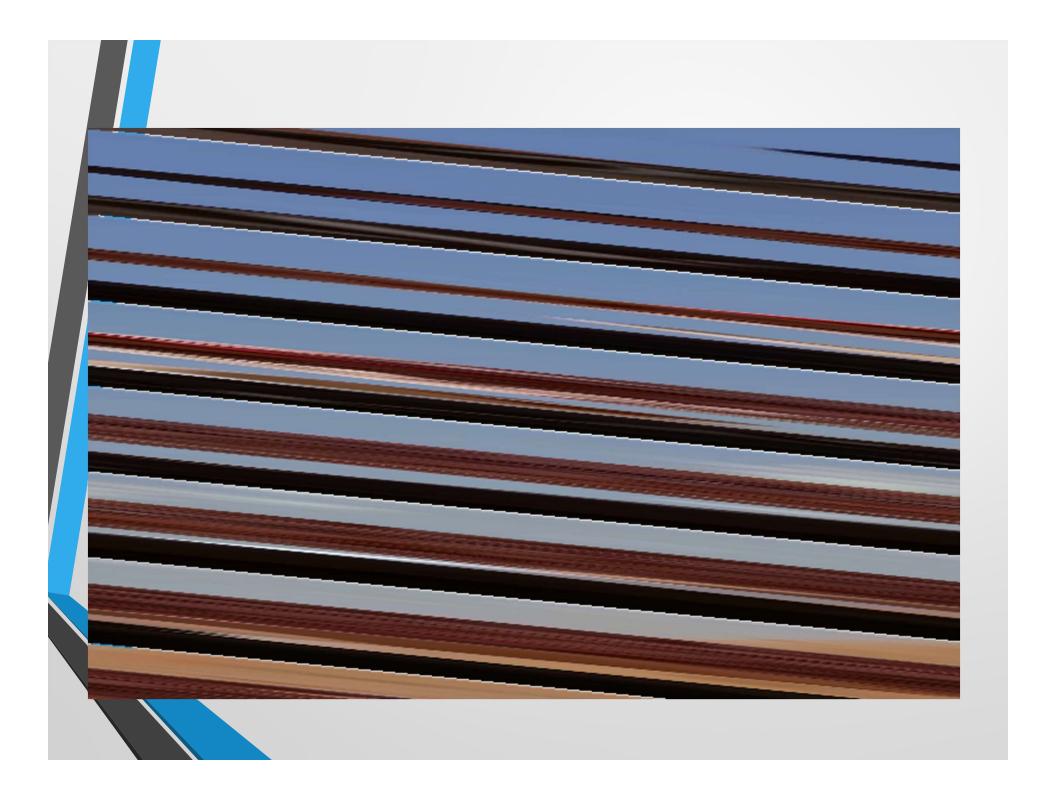
# **Evaluating Your Case**

- Are your witnesses available? Are they cooperative?
- Is your case contingent on lab analysis? Expert witness?
- What about your victim?
- Prior convictions?
- Is case charged properly?

## What Now?

Talk to the defense attorney.





#### What Now?

- Offer a plea agreement
- Dismiss / continue pending further investigation
- Dismiss because insufficient evidence / No Reasonable Likelihood of Conviction at Trial
- Set matter for trial

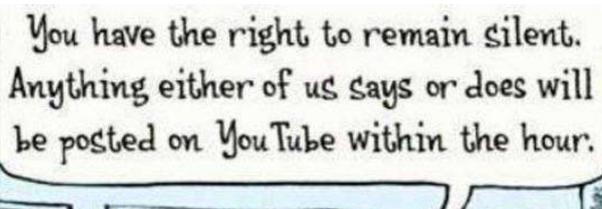
#### **Prosecution Standard**

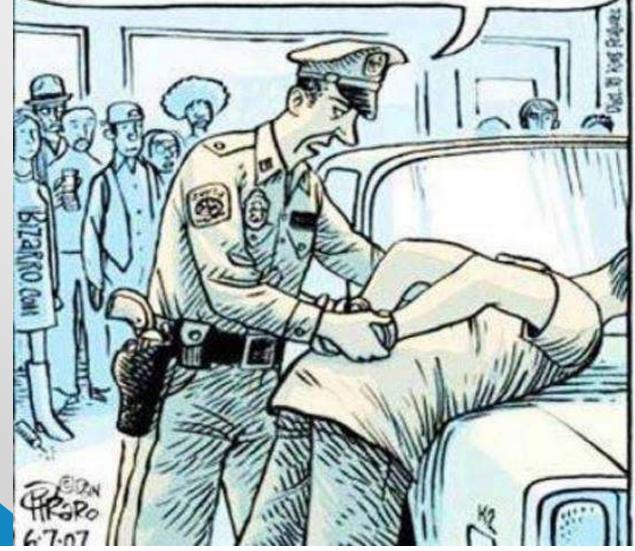
• State v. Gomez, 212 Ariz. 55, 59, 127 P.3d 873, 877 (2006) ("Indictments can be dismissed for various reasons, including a prosecutor's determination that the person charged did not in fact commit the crime or—as this case illustrates—that there is no reasonable likelihood of conviction").

See Kenneth J. Melilli, Prosecutorial Discretion in an Adversary System, 1992 BYU L. Rev. 669, 684 (1992) ("[V]irtually all prosecutors require, at least at the time of trial, that the government's case present a reasonable likelihood of conviction.").

### **Pretrial Motions**

- Defensive Pleadings
  - Suppression
  - Remand
  - Dismiss
  - Motion in Limine
  - Notice of a specific issue or action





## **Pretrial Motions**

- Offensive Pleadings
  - Notice pleading: Allegations of priors / on probation / on release, 2<sup>nd</sup> DUI, etc.
    - Motions in Limine
    - Notice of a specific issue or action (seeking jail time)

### **Pretrial Motions**

- Don't reinvent the wheel
  - Office motion bank / library
  - APAAC <u>www.apaacaz.gov</u>
  - NDAA www.ndaa.org
  - Prosecutor's Encyclopedia

www.nypti.org

### **Pretrial Interviews**

- Who attends?
- How recorded?
- Prepping for an IV
- Objections during interviews
- Problems/ Issues during interviews
- Evidence viewing

# **Trial Preparation**

- Proposed Jury Instructions
- Final Witness / Exhibit Lists
- Review Juror List, if available
- Confirm subpoenas
- Prepare trial notebook
- Visual Aids
- Prepare witness outlines

## **Theme**

Do you need one?

# Presentation

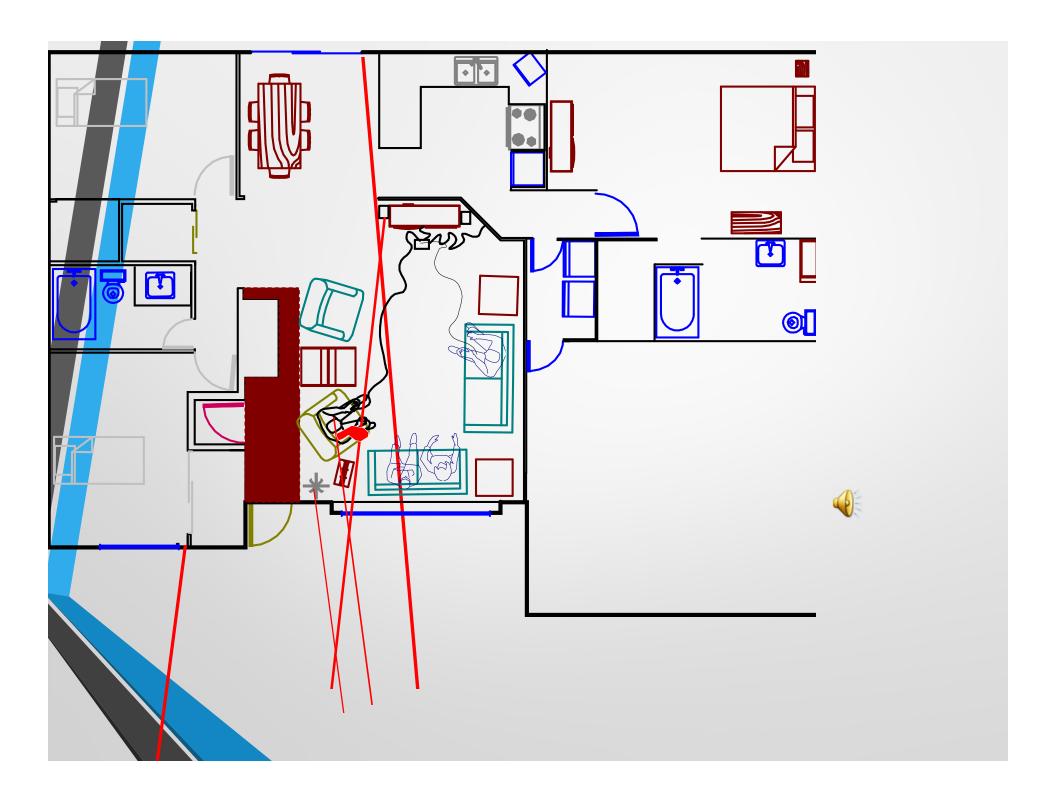


### Presentation

- Evidence
  - Photos
  - Weapons
  - Drugs
  - Documents
  - 911 calls
  - Jail calls

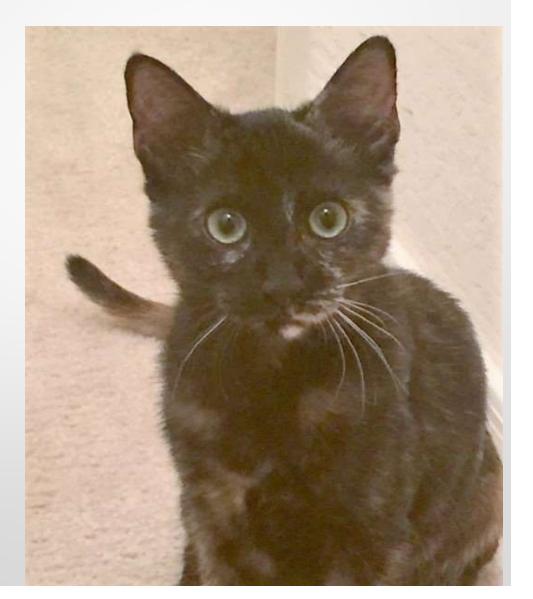
#### Presentation

- Different learners / different impact
- Pay attention to juror limitations
- Consider courtroom limitations
- Consider filing notices to court and defense regarding specific evidence



## **After Trial**

- Debrief
- Evaluate
- •Follow-up
- Prepare for next time!



#### **After Trial**

#### Relax!

Remember why we do this.

Don't neglect yourself—

Food

Exercise

FUN!



### Thanks for All You Do!

Dana E. Owens

Yavapai County Attorney's
Office

928-771-3344

dana.owens@yavapai.us

